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From: Angela Nance
To: dware@foundationcoal.com
Date: 10/7/2009 3:09 PM
Subject: Certificates of Liability Insurance

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Hi Dennis,

I received a copy of the Certificate of Liability Insurance for Star Point Mine and Willow Creek Mine. Everything looks great except for the Cancellation Clause. The Clause should read as follows:

"Should any of the above described policies be canceled before the expiration date thereof, the issuing insurer will mail 45 days written notice to the certificate holder named to the left."

On the current document - the words "endeavor" and the sentence that begins "but failure to do so..." should be crossed out.

Thank you for your attention in this matter. Any questions - please do not hesitate to contact me.

Angela Nance
Bond Coordinator
angelanance@utah.gov